

REMARKS

Claims 14-18, 20 and 22-28 were previously pending in the application. By the Amendment, Claims 14 and 26 are currently amended, Claim 24 is canceled without prejudice, and Claims 15-18, 20, 22, 23, 25, 27 and 28 remain unchanged. Reconsideration in view of the above amendments and the following remarks is respectfully requested.

The drawings are objected to under 37 C.F.R. §1.83(a), and claims 14-18, 20 and 22-28 are rejected under 35 U.S.C. §112, second paragraph. In addition, the claims stand rejected under the cited prior art of record. Specifically, Claims 14, 15, 17, 18, 20, 23, 24 and 26 were rejected under 35 USC §102(b) as being anticipated by Laurent (U.S. Patent No. 5,145,148). Additionally, Claims 14-18, 20, 23, 24 and 26 were rejected under 35 USC §103(a) as being unpatentable over Reuter et al. (U.S. Patent No. 5,845,672) in view of Kleinert et al. (U.S. Patent No. 6,225,886). Still further, Claims 14-18, 20, 23, 24 and 26 were rejected under 35 U.S.C. §103(a) as being unpatentable over Kolze et al. (U.S. Patent No. 4,697,608) in view of Brehm et al. (U.S. Patent No. 5,636,828). Claims 22 and 25 were rejected under 35 U.S.C. §103(a) as being unpatentable over Laurent in view of Grant et al. (U.S. Patent No. 5,188,017), over Reuter in view of Kleinert and Grant, and over Kolze in view of Brehm and Grant. Claims 14, 15, 17, 18, 20, 23, 24 and 26-28 were rejected under 35 U.S.C. §103(a) as being unpatentable over Kaselow (U.S. Patent No. 4,830,602) in view of Laurent, and claims 14-18, 20, 23, 24 and 26-28 were rejected under 35 U.S.C. §103(a) as being unpatentable over Kaselow in view of Reuter and Kleinert. Finally, claims 14-18, 20, 23, 24 and 26-28 were rejected under 35 U.S.C. §103(a) over Kaselow in view of Kolze and Brehm.

Independent Claims

Independent claim 14 of the present application recites a gas tap that includes a gas path and further includes an electromagnetic safety valve for closing the gas path. The safety valve includes an armature housing with a mobile magnetic anchor in the housing and a valve seat. The mobile magnetic anchor includes a valve closing element which presses on the valve seat to close the gas path. At least two magnetic anchor guide sections are positioned and axially spaced apart in the armature housing to guide the magnetic

anchor, where the two magnetic anchor guide sections are made from different materials, a first one of the two magnetic anchor guide sections being made from metal and a second one of the two magnetic anchor guide sections being made from a plastic material. An electromagnetic coil activates the mobile magnetic anchor and the valve closing element to open the gas path when voltage is applied to the electromagnetic coil. Also, the electromagnetic coil is arranged as a separate component outside of the armature housing on a magnetic insert. Independent claim 26 recites a magnetic insert with the foregoing features as applicable.

Drawings

Claims 14 and 26 have been amended to recite that the electromagnetic coil activates the mobile magnetic anchor and valve closing element to open the gas path when voltage is applied to the electromagnetic coil. This language is consistent with the drawings as supported in the specification at, for example, page 6, lines 30-35. Withdrawal of the objection is requested.

35 U.S.C. §112, Second Paragraph

As noted, claims 14 and 26 have been amended to recite that the electromagnetic coil activates the mobile magnetic anchor and valve closing element to open the gas path when voltage is applied to the electromagnetic coil. In addition, without conceding the rejection of claim 24, claim 24 has been canceled. Applicants submit that the claims now more clearly satisfy the requirements of 35 U.S.C. §112, second paragraph. Withdrawal of the rejection is requested.

35 U.S.C. §102

With regard to the Laurent patent, the Office Action references sleeve 56 as meeting one of the claimed anchor guides. Applicants respectfully disagree with this characterization of the Laurent patent. The sleeve 56 in Laurent does not serve any guiding function for the armature 20. Laurent thus lacks at least the claimed two anchor guide sections that guide a magnetic anchor. Additionally, Applicants submit that the coil 18 in Laurent is NOT “arranged as a separate component outside of said armature housing on a magnetic insert” as claimed. Rather, the Laurent structure appears to have the coil 18 as a part of the solenoid housing.

Since anticipation under §102 requires that each and every element of the claimed invention be disclosed in a single prior art reference, Applicants submit that in view of the noted shortcomings in Laurent, the rejection of independent claims 14 and 26 is misplaced.

With regard to the dependent claims, claims 15, 17, 18, 20 and 23 depend from claim 14 and are allowable for the same reasons and also because they recite additional patentable subject matter. For example, claim 20 recites that a first one of the two magnetic anchor guide sections is positioned inside of the gas tap, and a second one of the two magnetic anchor guide sections is positioned outside of the gas tap. Since Laurent in fact lacks the claimed two anchor guide sections that guide a magnetic anchor, this subject matter is also lacking in the Laurent patent.

Reconsideration and withdrawal of the rejection are respectfully requested.

35 U.S.C. §103

In the context of the rejections under §103 in this Office Action, Applicants respectfully take issue with the conclusion that if a primary reference includes an “anchor guide” formed of material A and a secondary reference includes an “anchor guide” formed of a material B, that it would have been obvious to modify the primary reference to include the claimed two magnetic anchor guide sections respectively made from different materials. Even under the Supreme Court’s *KSR* standard, Applicants submit that it would not have been obvious to create structure not included or suggested in the prior art (i.e., a second anchor guide). It would similarly not have been obvious to provide the claimed two anchor guide sections respectively of a different material.

With reference to the applied references, the Office Action recognizes that Reuter lacks the claimed two anchor guide sections. The Reuter structure in fact has no need for a second anchor guide section, and particularly one formed of a different material than the other. Applicants thus respectfully submit that the obviousness conclusion in the Office Action is without merit. In addition, the Kleinert patent does not correct this deficiency. Kleinert merely discloses an electromagnet including an armature 11 that runs on a plastics sliding surface 2, in particular a sliding film 20 made of plastic. Kleinert thus similarly lacks any teaching or suggestion of the claimed two magnetic anchor guide sections being made from different materials. The Office Action references col. 5, lines 5-12 in Kleinert

to support the grounds of rejection. This section in Kleinert, however, does not describe that the use of plastics material serves to reduce production costs; rather, Kleinert describes that since a guiding function for the armature is performed by a film, “the quality of the inner surface of the tube no longer has to meet exacting requirements, thereby considerably reducing the production costs of the tube” Kleinert thus describes the use of a film in performing its guiding function to facilitate design requirement of the tube.

Applicants thus submit that Reuter and Kleinert, taken singly or in combination lack at least the claimed two anchor guide sections respectively formed of different materials.

The Kolze patent was discussed in the prior response. Kolze includes an armature sub-assembly 56 having a one-piece elongated tubular armature guide 58 formed of an elastomeric material. Kolze lacks any remote suggestion to include two anchor guide sections, nor is there any suggestion that such anchor guide sections could be made of different materials. The Brehm patent similarly lacks the claimed two magnetic anchor guide sections respectively being made from different materials. The Office Action in fact does not reference any teaching in either Kolze or Brehm that purportedly meets this feature of the invention. Rather, Brehm discloses a tappet 35 that is guided in a sliding bearing 38. The tappet is press-fit in a bore 34 in the armature 17.

With regard to the dependent claims, Applicants submit that these claims are allowable for the same reasons and also because they recite additional patentable subject matter. With regard more specifically to claims 22 and 25, Applicants submit that the Grant patent does not correct the deficiencies noted with regard to Laurent, the Grant patent does not correct the deficiencies noted with regard to Reuter and Kleinert, and the Grant patent does not correct the deficiencies noted with regard to Kolze and Brehm. As a consequence, Applicants submit that these dependent claims are allowable at least by virtue of their dependency on an allowable independent claim. Withdrawal of these rejections is requested.

With regard to the Kaselow patent, Kaselow is silent with regard to the details of its solenoid, as noted by the Examiner. At a minimum, however, it is clear that the coil (of the electromagnet 15) is not “arranged as a separate component outside of said armature housing on the magnetic insert” as claimed. The Laurent patent is discussed above and as

noted lacks at least the claimed two anchor guide sections that guide a magnetic anchor. Applicants thus submit that the rejection of independent claims 14 and 26 should be withdrawn.

With regard to the rejection over Kaselow in view of Reuter and Kleinert, each of these references is discussed above in detail, and for the reasons discussed, Applicants submit that the applied references fail to teach or suggest features of the claimed invention. In particular, the references lack at least the claimed two magnetic anchor guide sections that serve to guide the magnetic anchor, where the magnetic anchor guide sections are made from different materials. Additionally, the references lack an electromagnetic coil arranged as a separate component outside of the armature housing on a magnetic insert. In a similar context, the references to Kaselow, Kolze and Brehm are also discussed above and similarly fall short of the claimed invention defined at least in independent claims 14 and 26.

With regard to the dependent claims, Applicants submit that these claims are allowable at least by virtue of their dependency on an allowable independent claim and because they recite additional patentable subject matter.

Reconsideration and withdrawal of the rejections are requested.

CONCLUSION

In view of the above, entry of the present Amendment and allowance of Claims 14-18, 20, 22, 23 and 25-28 are respectfully requested. If the Examiner has any questions regarding this amendment, the Examiner is requested to contact the undersigned. If an extension of time for this paper is required, petition for extension is herewith made.

Respectfully submitted,

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